

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Linda Schultz,

Civil No. 08-550 (RHK/JJK)

Plaintiff,

ORDER

v.

Commissioner of Social Security,

Defendant.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes, dated December 18, 2008. No objections have been filed to the Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, and upon all of the files, records, and proceedings herein, **IT IS ORDERED:**

1. The Report and Recommendation (Doc. No. 18) is **ADOPTED**;
2. Plaintiff's Motion for Summary Judgment (Doc. No. 11) is **DENIED**;
3. Defendant's Motion for Summary Judgment (Doc. No. 14) is **GRANTED**;
4. The decision of the Commissioner of Social Security is **AFFIRMED**; and
5. This case is **DISMISSED WITH PREJUDICE**.

Dated: January 9, 2009

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge